

Docket No. DEP-652CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Serbousek, John, et al

Serial No. : 10/670,092

Art Unit: 3732

Filed : September 24, 2003

Examiner: Candice C. Melson

For : PROSTHESIS WITH FEATURE ALIGNED TO TRABECULAE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Alexandria, VA 22313-1450 on

September 2, 2004

(Date)

John S. Wagley

Name of applicant, assignee, or Registered Representative

John S. Wagley
(Signature)

September 2, 2004

(Date of Signature)

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Dear Sir:

Your Petitioner, Depuy Orthopaedics, Inc., a corporation of the State of Indiana, having a registered office at Warsaw, Indiana, represents that it is the owner of U.S. Patent No. 6,652,591, issued March xx, 200x as evidenced by the attached copies of documents sent on March xx, 200x for recording in the United States Patent and Trademark Office.

09/08/2004 EFLORES 00000071 100750 10670092

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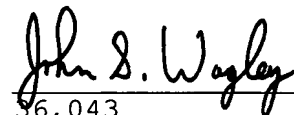
Your Petitioner, Depuy Orthopaedics, Inc. hereby disclaims, under the provisions of 35 USC 253 and 37 CFR 1.321 and 3.73, the terminal part of any patent granted on application Serial No. 10/670,092 which would extend beyond the expiration date of United States Patent No. 6,652,591 and hereby agrees that any patent so granted on application Serial No. 10/670,092 shall be enforceable only for and during such period that the legal title of said patent shall be the same as the legal title to United States Patent No. 6,652,591, this agreement to run with any patent granted on application Serial No. 10/670,092 and to be binding upon the grantee, its successors or assigns.

The Terminal Disclaimer fee of \$110.00 and any additional fees which may be owed in connection with the filing of this Terminal Disclaimer can be charged to Johnson & Johnson Deposit Account No. 10-0750/DEP-652CON/JSW. Three copies of this sheet are enclosed.

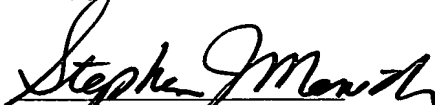
Signed at Warsaw, Indiana this 2nd day of September, 2004.

Respectfully submitted,

DePuy Products, Inc.


36,043
John S. Wagley
Assistant Secretary

ATTEST:


Stephen J. Manich
Assistant Secretary

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(574) 372-7332
Date: September 2, 2004